EXHIBIT A

2120 - Served
2220 - Not Served
2320 - Served By Mail
2420 - Served By Publication
Summons - Alias Summons

2121 - Served
2221 - Not Served
2321 - Served By Mail
2421 - Served By Publication

(01/25/17) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Alexshandra Brackenridge

(Name all parties)

v.

Scoobeez, Inc. and ABT Holdings, LLC

No. 2018-L-002298

⦿ SUMMONS ○ ALIAS SUMMONS

To each Defendant: Scoobeez, Inc.
318 W. Adams St., Chicago, IL 60606

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

☑ Richard J. Daley Center, 50 W. Washington, Room 801, Chicago, Illinois 60602

☐ District 2 - Skokie, 5600 Old Orchard Rd., Skokie, IL 60077
☐ District 3 - Rolling Meadows, 2121 Euclid, Rolling Meadows, IL 60008
☐ District 4 - Maywood, 1500 Maybrook Dr., Maywood, IL 60153
☐ District 5 - Bridgeview, 10220 S. 76th Ave., Bridgeview, IL 60455
☐ District 6 - Markham 16501 S. Kedzie Pkwy. Markham, IL 60428
☐ Child Support: 50 W. Washington, LL-01, Chicago, IL 60602

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the Officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than thirty (30) days after its date.

☑ Atty. No.: 32035
Name: Adrian Jonak
Atty. for: Plaintiff
Address: Asonye & Associates, 100 N. LaSalle St., Ste. 2115
City/State/Zip Code: Chicago, IL 60602
Telephone: (312) 795-9110
Primary Email: ajonak@aa-law.com
Secondary Email: ajonak@aa-law.com
Tertiary Email: ______

Witness: MAR 2 3 2018

DOROTHY BROWN
CLERK OF CIRCUIT COURT

DOROTHY BROWN, Clerk of Court

CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Date of Service: ______
(To be inserted by officer on copy left with Defendant or other person)

**Service by Facsimile Transmission will be accepted at:

______
(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

2120 - Served	2121 - Served
2220 - Not Served	2221 - Not Served
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Summons - Alias Summons	

(01/25/17) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Alexshandra Brackenridge

(Name all parties)

v.

Scoobeez, Inc. and ABT Holdings, LLC

No. 2018-L-002298

⦿ SUMMONS ○ ALIAS SUMMONS

To each Defendant: Scoobeez, Inc.
318 W. Adams St., Chicago, IL 60606

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- ☐ Child Support: 50 W. Washington, LL-01, Chicago, IL 60602

You must file within 30 days after service of this Summons, not counting the day of service.

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☑ Atty. No.: 32035

Name: Adrian Jonak

Atty. for: Plaintiff

Address: Asonye & Associates, 100 N. LaSalle St., Ste. 2115

City/State/Zip Code: Chicago, IL 60602

Telephone: (312) 795-9110

Primary Email: ajonak@aa-law.com

Secondary Email: ajonak@aa-law.com

Tertiary Email: ____

Witness: MAR 23 2018

DOROTHY BROWN
CLERK OF CIRCUIT COURT

DOROTHY BROWN, Clerk of Court

CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Date of Service: ____
(To be inserted by officer on copy left with Defendant or other person)

**Service by Facsimile Transmission will be accepted at:

____
(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Attorney No.: 32035

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

ALEXSHANDRA BRACKENRIDGE,	)	
	)	
Plaintiff,	)	Case No.:
	)	
v.	)	Judge:
	)	
	)	**JURY DEMANDED**
SCOOBEEZ, INC. and ABT HOLDINGS, LLC,	)	
	)	
	)	Damages: over $50,000
Defendants.	)	

COMPLAINT AT LAW

Plaintiff, Alexshandra Brackenridge ("Plaintiff"), by her undersigned attorneys, and for her Complaint at Law against Defendants, Scoobeez, Inc. ("Scoobeez") and ABT Holdings, LLC ("ABT Holdings") (collectively referred to as "Defendants"), states as follows:

NATURE OF THE CASE

1. Counts I, II, and III arise under the Illinois Human Rights Act, 775 ILCS 5/1-101 *et seq.* ("IHRA" or "the Act").

2. Count IV arises under Illinois common law.

JURISDICTION AND VENUE

3. This Court has jurisdiction over this matter pursuant to Section 7A-102(D) of the Act.

4. Venue in the Circuit Court of Cook County is proper as the claim for relief arose in Chicago, Cook County, Illinois.

5. All conditions precedent have been fulfilled by Plaintiff, including the filing of charges of racial harassment, race discrimination, and retaliation against Defendants with the Illinois Department of Human Rights ("IDHR"), Charge Nos. 2017CF1417 and 2017CF1586,

respectively. Charge No. 2017CF1417 is attached and incorporated herein as Exhibit A. Charge No. 2017CF1586 is attached and incorporated herein as Exhibit B.

6. Plaintiff has received the requisite Notices of Dismissal from the IDHR corresponding to the aforementioned charges, thus entitling her to bring this action in the Circuit Court of Cook County. The Notices of Dismissal for Charge Nos. 2017CF1417 and 2017CF1586 are attached hereto and incorporated herein as Exhibits C and D, respectively.

PARTIES

7. At all relevant times, Plaintiff is, and has been, a resident of the State of Illinois.

8. At all relevant times, Defendant Scoobeez Inc. ("Scoobeez") is, and was, an organization duly registered to conduct business in the State of Illinois, with its principal place of business located at 318 W. Adams St., Chicago, Illinois 60606.

9. At all relevant times, Scoobeez was, and is, an "employer" within the meaning of Section 2-101(B) of the Illinois Human Rights Act ("the Act" or "IHRA"), and as such was subject to the provisions of the Act.

10. At all relevant times, Defendant ABT Holdings, LLC ("ABT Holdings") is duly registered to conduct business in the state of Illinois.

11. At all relevant times, ABT Holdings was, and is, an "employer" within the meaning of Section 2-101(B) of the IHRA, and as such, was subject to the provisions of the Act.

12. That Defendant ABT Holdings is the parent company to Defendant Scoobeez.

GENERAL ALLEGATIONS

13. Plaintiff incorporates the preceding paragraphs herein.

14. That Plaintiff's race is African-American.

15. That Plaintiff began her employment with Defendants on approximately September 8, 2016 as Scoobeez's Human Resources ("HR") Manager/Office Manager in its Chicago office.

16. That throughout her employment with Defendants beginning in or about September 8, 2016, Plaintiff performed her assigned duties in a satisfactory manner, consistent with Defendants' standards, and her job performance met Defendants' legitimate expectations.

17. That at all relevant times during Plaintiff's employment with Defendants, she was supervised by Jowita Chomentowska ("Chomentowska"), Global Leadership Director, and Tricia Gamble ("Gamble"), California HR Manager.

COUNT I – RACIAL HARASSMENT

18. Plaintiff incorporates the preceding paragraphs herein.

19. That Plaintiff's race is African-American.

20. That Defendants' treatment of Plaintiff violated her rights to be free from harassment on the basis of her race pursuant to 775 ILCS 5/2-102(A), and in violation of 775 ILCS 5/1-102(A).

21. That Plaintiff was hired by Defendants on approximately September 8, 2016 as the HR/Office Manager in the Chicago office.

22. That throughout her employment with Defendants, Plaintiff performed up to and exceeded Defendants' legitimate expectations.

23. That at all relevant times during Plaintiff's employment with Defendants, she was supervised by Jowita Chomentowska ("Chomentowska"), Global Leadership Director, and Tricia Gamble ("Gamble"), California Human Resources ("HR") Manager.

24. That upon her hire, Plaintiff was told to report all complaints and instances of harassment to Chomentowska or Gamble.

25. That upon her hire, Plaintiff was informed by Chomentowska, Gamble, and Suzy Ohanessian ("Ohanessian") that all employees in Defendants' Chicago office, including schedulers and administrative assistants, were to report to Plaintiff.

26. That on approximately October 31, 2016, Plaintiff directed Elizabeth Marr ("Marr"), Logistics Scheduler, to interview a potential candidate for a scheduler position.

27. That instead of interviewing the potential candidate, Marr lied about having a task to complete.

28. That Marr subsequently informed Plaintiff that she did not have time to interview the potential candidate.

29. That Plaintiff was aware that Marr's alleged task had already been completed and again requested that Marr interview the potential candidate.

30. That Plaintiff then escorted the potential candidate to Marr's desk and informed him that Marr would be conducting the interview.

31. That after Plaintiff returned to her office, Plaintiff received a call from Chomentowska telling her to allow Marr to find her own scheduler.

32. That on this phone call, Plaintiff reminded Chomentowska that it was Plaintiff's responsibility to hire staff for the office.

33. That Chomentowska again told Plaintiff to give Marr control over hiring for the scheduler position.

34. That a few minutes after escorting the potential candidate to Marr, the candidate approached Plaintiff and informed her that Marr refused to interview him.

35. That Plaintiff then approached Marr to try to resolve the issue and asked Marr if there was a problem.

36. That Marr ignored Plaintiff.

37. That as Plaintiff walked away, Marr stated, "Fuck you. You black nigger bitch."

38. That upon hearing the above statement, Plaintiff asked Marr, "What did you say?"

39. That Marr did not respond.

40. That after Marr made the unlawful and unwanted statement against Plaintiff, Plaintiff immediately contacted Gamble.

41. That Plaintiff spoke to her at length about Marr's racially harassing comment.

42. That Gamble told Plaintiff she would look into the incident.

43. That Gamble did not contact Plaintiff regarding the investigation into Marr's racially harassing comment.

44. That to the best of Plaintiff's knowledge and belief, no investigation into Marr's racially harassing comment occurred.

45. That throughout Plaintiff's employment with Defendants, Plaintiff heard Marr state, "if these people can't do their jobs, these people shouldn't be working here" in reference to the drivers.

46. That the drivers for Defendants are predominantly African-Americans.

47. That Chomentwoska and Gamble took no action to address these complaints.

48. That Asad Baban referred to Plaintiff as "too strong" for the company.

49. That Plaintiff interpreted the "too strong" statement to be a racial comment stereotyping African-Americans.

50. That Plaintiff found the racial harassment offensive.

51. That the racially offensive conduct created a hostile and intimidating work environment for Plaintiff and it adversely affected the ability of Plaintiff to do her job.

52. That said continuous and persistent racial harassment adversely affected the terms and conditions of Plaintiff's employment with Defendants.

53. That as a direct and proximate result of said unlawful employment practices, Plaintiff has suffered the indignity of discrimination, the invasion of her right to be free from discrimination, and great humiliation which was manifested in physical illness and emotional stress on the relationship between Plaintiff, her friends, family, and colleagues.

54. That as a further direct and proximate result of said unlawful employment practices, Plaintiff has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, shameful embarrassment among her friends, colleagues, and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Alexshandra Brackenridge, hereby respectfully requests this Honorable Court provide the following equitable and legal remedies for relief:

a) Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
b) Order a permanent injunction prohibiting Defendants from further acts of racial harassment.
c) Award Plaintiff all costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
d) Award Plaintiff a judgment against Defendants in an amount in excess of $50,000, including an award of lost employment benefits, reinstatement, mental anguish, punitive damages, and other compensatory damages.
e) Enter an order requiring Defendants to implement effective steps to eliminate racial harassment from Defendants' organizations.
f) Grant such other and further relief as this Honorable Court deems just and proper.

COUNT II – RACE DISCRIMINATION

55. Plaintiff incorporates the preceding paragraphs herein.

56. That Plaintiff's race is African-American.

57. That Defendants' treatment of Plaintiff violated her right to be free from discrimination on the basis of her race pursuant to 775 ILCS 5/2-102(A), and in violation of 775 ILCS 5/1-102(A).

58. That Plaintiff was hired by Defendants on approximately September 8, 2016 as the HR/Office Manager in the Chicago office.

59. That throughout her employment with Defendants, Plaintiff performed up to and exceeded Defendants' legitimate expectations.

60. That at all relevant times during Plaintiff's employment with Defendants, she was supervised by Jowita Chomentowska ("Chomentowska"), Global Leadership Director, and Tricia Gamble ("Gamble"), California HR Manager.

61. That upon Plaintiff's hire, she was told to report all complaints of harassment to Chomentowska or Gamble.

62. That upon Plaintiff's hire, she was informed by Chomentowska, Gamble, and Suzy Ohanessian ("Ohanessian") that all employees in Defendants' Chicago office, including schedulers and administrative assistants, were to report to Plaintiff.

63. That on approximately October 31, 2016, Plaintiff directed Elizabeth Marr ("Marr"), Logistics Scheduler, to interview a potential candidate for a scheduler position.

64. That instead of interviewing the potential candidate, Marr lied about having a task to complete.

65. That Marr subsequently informed Plaintiff that she did not have the time to interview the potential candidate.

66. That Plaintiff was aware that Marr's alleged task had already been completed and again requested that Marr interview the potential candidate.

67. That Plaintiff then escorted the potential candidate to Marr's desk and informed him that Marr would be conducting the interview.

68. That after Plaintiff returned to her office, Plaintiff received a call from Chomentowska telling her to allow Marr to find her own scheduler.

69. That on this phone call, Plaintiff reminded Chomentowska that it was Plaintiff's responsibility to hire staff for the office.

70. That Chomentowska again told Plaintiff to give Marr control over hiring for the scheduler position.

71. That a few minutes after escorting the potential candidate to Marr, he approached Plaintiff and informed her that Marr refused to interview him.

72. That Plaintiff then approached Marr in an attempt to resolve the issue and asked Marr if there was a problem.

73. That Marr ignored Plaintiff.

74. That as Plaintiff walked away, Marr stated, "Fuck you. You black nigger bitch."

75. That upon hearing the above statement, Plaintiff asked Marr, "what did you say?"

76. That Marr did not respond.

77. That after Marr made the unlawful and unwanted statement against Plaintiff, Plaintiff immediately contacted Gamble.

78. That Plaintiff spoke to Gamble at length about Marr's racially harassing comment.

79. That Gamble told Plaintiff that she would look into the incident.

80. That Gamble did not contact Plaintiff regarding the investigation into Marr's racially harassing comment.

81. That to the best of Plaintiff's knowledge and belief, no investigation into Marr's racially harassing comment occurred.

82. That throughout Plaintiff's employment with Defendants, Plaintiff heard Marr state, "if these people can't do their jobs, these people shouldn't be working here" in reference to the drivers.

83. That the drivers for Defendants are predominantly African-Americans.

84. That Chomentowska and Gamble took no action to address these complaints.

85. That Plaintiff's complaints to Chomentowska and Gamble constituted her opposition to unlawful racial harassment.

86. That Asad Baban referred to Plaintiff as "too strong" for the company.

87. That Plaintiff interpreted the "too strong" statement to be a racial comment stereotyping African-Americans.

88. That on approximately November 8, 2016, Plaintiff was terminated in a meeting with Chomentowska, Ohanessian, and Gamble.

89. That similarly situated non-African American employees, such as Miriam Flores, Desiree Delosa, Marr, Nick Wagner, Clint Roper, were not subjected to crude and offensive racial harassment.

90. That similarly situated non-African American employees, such as Miriam Flores, Desiree Delosa, Marr, Nick Wagner, Clint Roper, were not terminated as a result of making verbal complaints in opposition to unlawful racial harassment.

91. That Defendants condoned race discrimination and failed to maintain a discrimination-free work environment by failing to provide adequate training, counseling, discipline, anti-discrimination policies and instructions to its employees and officers.

92. That the race discrimination to which Plaintiff was subjected to was severe, persistent in nature, unwelcome, extremely offensive, humiliating, and effective in creating a hostile and intimidating work environment for Plaintiff, and substantially interfered with Plaintiff's ability to perform her job.

93. That said severe, continuous, and persistent discrimination adversely affected the terms and conditions of Plaintiff's employment.

94. That as a direct and proximate result of said unlawful employment practices, Plaintiff has suffered the indignity of harassment, the invasion of her right to be free from race-based harassment and discrimination, and great humiliation which was manifested in physical illness and emotional stress on the relationships between Plaintiff and her friends, family, and colleagues.

95. That as a further direct and proximate result of said unlawful employment practices, Plaintiff has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself, shameful embarrassment among her friends, colleagues, and coworkers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Alexshandra Brackenridge, hereby respectfully requests this Honorable Court provide the following equitable and legal remedies for relief:

a) Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

b) Order a permanent injunction prohibiting Defendants from further acts of race discrimination.
c) Award Plaintiff all costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
d) Award Plaintiff a judgment against Defendants in an amount in excess of $50,000, including an award of lost employment benefits, reinstatement, mental anguish, punitive damages, and other compensatory damages.
e) Enter an order requiring Defendants to implement effective steps to eliminate race discrimination from Defendants' organizations.
f) Grant such other and further relief as this Honorable Court deems just and proper.

COUNT III – RETALIATION

96. Plaintiff incorporates the preceding paragraphs herein.

97. That Defendants retaliated against Plaintiff, in violation of Plaintiff's rights pursuant to the IHRA.

98. That Plaintiff began her employment with Defendants on approximately September 8, 2016 as the HR/Office Manager in their Chicago office.

99. That throughout her employment with Defendants beginning in or about September 8, 2016, Plaintiff performed her assigned duties in a satisfactory manner, consistent with Defendants' standards, and her job performance met Defendants' legitimate expectations.

100. That at all relevant times during Plaintiff's employment with Defendants, she was supervised by Jowita Chomentwoska ("Chomentowska"), Global Leadership Director, and Tricia Gamble ("Gamble"), California HR Manager.

101. That on October 25, 2016, a former employee of Defendants, Khanaya Jackson ("Jackson"), physically attacked Plaintiff.

102. That Plaintiff was physically attacked because she terminated Jackson.

103. That during the aforementioned incident, the police were called but no arrests were made.

104. That after the aforementioned incident, Plaintiff called Chomentowska to inform her of the altercation.

105. That Chomentowska stated, "I wish I could have seen that fight."

106. That Plaintiff drafted an incident report of the altercation to submit to Chomentowska and Gamble.

107. That to Plaintiff's knowledge and belief, nothing else was said or done about the aforementioned incident.

108. That on approximately October 31, 2016, Plaintiff was subjected to unlawful and unwelcome racial harassment by Defendants' employee, Elizabeth Marr.

109. That on approximately October 31, 2016, Marr stated to Plaintiff, "Fuck you, you black nigger bitch."

110. That Plaintiff verbally complained about this racially offensive comment to Gamble at length.

111. That Gamble stated to Plaintiff she would investigate Marr's racially harassing comment.

112. That Gamble never followed up with Plaintiff.

113. That to Plaintiff's knowledge and belief, no investigation into Marr's racially offensive comment occurred.

114. That Plaintiff's complaint constituted her opposition to unlawful racial harassment.

115. That on approximately November 8, 2016, Plaintiff was terminated in a meeting with Chomentowksa, Ohanessian, and Gamble.

116. That Plaintiff was terminated for allegedly creating a "hostile work environment" based on complaints from the staff.

117. That Plaintiff inferred the staff "complaints" were in reference to the October 25, 2016 incident when she was attacked for terminating a former employee of Defendants.

118. That other similarly situated employees who did not make a complaint were not terminated.

119. That Defendants' retaliatory act of termination and Plaintiff's vocal opposition to the racial harassment occurred within such a short period of time so as to raise a strong inference of retaliatory motive.

120. That Defendants' treatment of Plaintiff was motivated by evil motive and intent, and was recklessly and callously indifferent to Plaintiff's protected rights under the IHRA.

121. That Defendants' conduct amounts to retaliation in violation of the IHRA.

122. That as a direct and proximate result of said acts of retaliation, Plaintiff has suffered depression, extreme mental anguish, severe anxiety about her future and ability to support herself, harm to her employability and earning capacity, shameful embarrassment among her friends, colleagues, and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Alexshandra Brackenridge, hereby respectfully requests this Honorable Court provide the following equitable and legal remedies for relief:

a) Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.
b) Order a permanent injunction prohibiting Defendants from further acts of retaliation.
c) Award Plaintiff all costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
d) Award Plaintiff a judgment against Defendants in an amount in excess of $50,000, including an award of lost employment benefits, reinstatement, mental anguish, punitive damages, and other compensatory damages.
e) Enter an order requiring Defendants to implement effective steps to eliminate retaliation from Defendants' organizations.
f) Grant such other and further relief as this Honorable Court deems just and proper.

COUNT IV – ASSAULT AND BATTERY

123. Plaintiff incorporates the preceding paragraphs herein.

124. That while acting within the scope of her employment with Defendants, Jackson subjected Plaintiff to assault and battery.

125. That Jackson intended to engage in offensive and physical contacts with Plaintiff's body.

126. That on October 25, 2016, Plaintiff was directed to terminate Jackson for using Defendants' company van for personal use.

127. That Plaintiff contacted Jackson to come into the office and sign some paperwork.

128. That Jackson met with Plaintiff and Miriam Flores ("Flores"), Administrative Assistant, in Flores' office.

129. That Flores began the process while Plaintiff stepped out of Flores' office to start the group orientation she was scheduled to present.

130. That as soon as Plaintiff stepped out, Flores ran out of her office to tell her that Jackson was very angry and acting in a hostile manner.

131. That Plaintiff then went back in to the office and asked Jackson about using Defendants' company van for personal use.

132. That Jackson, instead, became angrier and denied using Defendants' company van for personal use.

133. That Jackson began yelling at Plaintiff.

134. That Jackson then spit on Plaintiff and threw the paperwork and computer off Flores' desk.

135. That Jackson then launched at Plaintiff.

136. That Plaintiff was able to grab Jackson and pin her against the wall.

137. That as the altercation was happening, Plaintiff asked Defendants' employees for help and to call the police.

138. That Defendants' employees did not intervene. However, one of the group orientation attendees stepped in and broke up the fight.

139. That Plaintiff was then able to lock Jackson in Flores' office and told her she would remain in the office until police arrived.

140. That after the police arrived, a police report was made but there were no arrests.

141. That Defendants failed to exercise reasonable care in the retention and supervision of its employees that resulted in Plaintiff being subjected to assault and battery as a result of one of its employees' behavior and conduct.

142. That Plaintiff had a reasonable apprehension that Jackson would make imminent harmful or offensive contact.

143. That each of the aforementioned actions by Jackson was intentional and resulted in contact that was unwelcome and offensive.

144. That as a direct and proximate result of said acts, Plaintiff has suffered depression, extreme mental anguish, outrage, severe anxiety about her future and ability to support herself, harm to her employability and earning capacity, shameful embarrassment among her friends, colleagues, and co-workers, damage to her reputation, disruption of her personal life, and loss of enjoyment of the ordinary pleasures of life.

145. That as a further direct and proximate result of Defendants' conduct, Plaintiff suffered and continues to suffer.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Alexshandra Brackenridge hereby respectfully requests that this Honorable Court provide the following equitable and legal remedies for relief:

a. Advance this case on the docket, order a speedy hearing at the earliest practicable date, and cause this case to be expedited in every possible way.

b. Award Plaintiff all costs of litigation, including reasonable attorneys' fees and expert fees and expenses.
c. Award Plaintiff a judgment against Defendants in an amount in excess of $50,000, including an award of lost employment benefits, reinstatement, mental anguish, punitive damages, and other compensatory damages.
d. Award Plaintiff pre-judgment interest.
e. Award Plaintiff a judgment against Defendants for punitive damages.
f. Grant such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted,
Alexshandra Brackenridge

By: /s/ Adrian Jonak
One of Her Attorneys

Uche O. Asonye – 6209522
Adrian Jonak - 6324128
ASONYE & ASSOCIATES
100 N. LaSalle Street, Suite 2115
Chicago, IL 60602
(312) 795-9110
uasonye@aa-law.com
ajonak@aa-law.com

EXHIBIT A

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form. #	AGENCY ☒ IDHR ☒ EEOC	CHARGE NUMBER

Illinois Department of Human Rights and EEOC

NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.)	TELEPHONE NUMBER (include area code)
Ms. Alexshandra Brakenridge	(708) 717-6840

STREET ADDRESS / CITY, STATE AND ZIP CODE	DATE OF BIRTH
3338 Bernice Rd., Lansing, Illinois 60438	/ / M D YEAR

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)

NAME OF RESPONDENT	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include area code)
Scoobeez, Inc.	15+	

STREET ADDRESS / CITY, STATE AND ZIP CODE	COUNTY
318 W. Adams St., 4th Fl, Chicago, IL 60606	Cook

CAUSE OF DISCRIMINATION BASED ON:	DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)
Racial Harassment/Race Discrimination/Retaliation	☐ CONTINUING ACTION

THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:

SEE ATTACHED

RECEIVED

Page 1 of

I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 19 DAY OF December, 2016.

[signature]

NOTARY SIGNATURE

Official Seal
Sedenia Johnson
Notary Public State of Illinois
My Commission Expires 01/06/2019

NOTARY STAMP

X [signature] 12

SIGNATURE OF COMPLAINANT DATE

I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief

EEO-5 FORM (Rev. 11/09-INT)

I. A. ISSUE/ BASIS

Racial Harassment, on or around October 31, 2016.

B. PRIMA FACIE ALLEGATIONS

1. That my race is African American.
2. That I was hired by Scoobeez, Inc. ("Respondent") on approximately September 8, 2016 as the Human Resources Manager in the Chicago office.
3. That my job performance met Respondent's legitimate expectations.
4. That Jowita Chomentowska ("Chomentowska"), Global Leadership, had supervisory authority over me throughout my employment with Respondent.
5. That Trisha Gamble ("Gamble"), California Human Resources Manager, had supervisory authority over me throughout my employment with Respondent.
6. That upon being hired by Respondent, I was told to report all complaints of harassment to Chomentowska or Gamble.
7. That upon being hired by Respondent, I was informed by Chomentowska, Gamble, and Suzy Ohanessian ("Ohanessian") that all employees in the Chicago office, including schedulers and administrative assistants, were to report to me.
8. That on approximately October 31, 2016, I directed Elizabeth Marr ("Marr"), Logistics Scheduler, to interview a potential candidate for a scheduler position.
9. That Marr lied about having a task to complete and informed me that she did not have the time to interview the potential candidate.
10. That I was aware the alleged task had already been completed and again requested that Marr interview the potential candidate.
11. That I then escorted the potential candidate to Marr's desk and informed him that Marr would be conducting the interview.
12. That after I returned to my office, I received a call from Chomentowska telling me to allow Marr to find her own scheduler.
13. That I reminded Chomentowska that it was my responsibility to hire staff for the office but I was again told to allow Marr control over hiring for the scheduler position.
14. That a few minutes later the potential candidate approached me and informed me that Marr refused to interview him.
15. That I then approached Marr to try to resolve the issue and asked Marr if there was a problem.

Initials ______ Date 12/19/16

16. That Marr proceeded to ignore me but as I was leaving, Marr said, "Fuck you. You black nigger bitch."

17. That upon hearing the racial comment, I asked Marr, "What did you just say?"

18. That Marr did not respond and I proceeded to walked away.

19. That after this incident, I contacted Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

20. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

21. That on several occasion I heard Marr state "if these people can't do their jobs, these people should be working here" when referring to the drivers.

22. That the drivers for Respondent are predominantly African Americans.

23. That a week later, on approximately November 8, 2016, I was terminated in a meeting with Chomentowska, Ohanessian, and Gamble.

24. That I found the racial harassment offense.

25. That the racially offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

26. That the racial harassment directly resulted in the termination of my employment.

II. A. ISSUE/BASIS

Race Discrimination-Termination

B. PRIMA FACIE ALLEGATIONS

1. That my race is African American.

2. I was hired by Scoobeez, Inc. on approximately September 8, 2016 as a Human Resources Manager.

3. That my job performance met Respondent's legitimate expectations.

4. That on approximately October 31, 2016, I was subjected to unlawful and unwelcome racial harassment by Respondent employee, Elizabeth Marr.

5. That on approximately October 31, 2016, Marr said to me ""Fuck you. You black nigger bitch."

6. That after this incident, I contacted Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

Initials AB Date 12/16/16

7. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

8. The other similarly situated white employees were not subjected to crude and offensive racial harassment.

9. That I was subjected to unequal terms and conditions due to my race.

10. That other similarly situated white employees were not terminated.

III. A. ISSUE/BASIS

Retaliation- Termination for Opposing Unlawful Discrimination

B. PRIMA FACIE ALLEGATIONS

1. I was hired by Scoobeez, Inc. on approximately September 8, 2016 as a Human Resources Manager.

2. That I was hired to add structure and discipline to the Respondent's Chicago office.

3. That I was informed when I was hired that the Chicago office was lacking professionalism and that I was also being hired to handle employee termination and to draft an employee handbook.

4. That my job performance met Respondent's legitimate expectations.

5. That upon being hired by Respondent, I was told to report all complaints of harassment to Chomentowska or Trisha Gamble ("Gamble"), California Human Resources Manager.

6. That on approximately October 31, 2016, I was subjected to unlawful and unwelcome racial harassment by Respondent employee, Elizabeth Marr.

7. That on approximately October 31, 2016, Marr said to me "Fuck you. You black nigger bitch."

8. That I verbally complained about this racially offensive comment to Trisha Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

9. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

10. That my complaint constituted my opposition to unlawful racial harassment.

11. That a week after my verbal complaint was made, on approximately November 8, 2016, I was terminated in a meeting with Chomentowska, Ohanessian, and Gamble.

Initials AB Date 12/19/16

12. That I was being terminated for allegedly creating a "hostile work environment" based on complaints from the staff and for being "too strong" for the company.

13. That I understood the "too strong" comment to be a racial comment stereotyping black people.

14. That I inferred the alleged staff complaints to be in reference to an incident on approximately October 25, 2016 where a former Respondent employee that had just been terminated, physically attacked me in the workplace.

15. That during this incident the police were called but no arrests were made.

16. That after the incident, I called Chomentowska and informed her of what happened.

17. That Chomentowska asked if I was ok and stated "I wish I could have seen that fight."

18. That I drafted my own incident report of the event that occurred but to my knowledge, nothing else was said or done about the incident.

19. That this retaliatory act of termination and my opposition to the racial harassment occurred within a short period of time, thereby raising an inference of retaliatory motive.

[signature] 12/19/16

Complainant's Signature Date

Subscribed and sworn to before me this

19 day of December 2016

Official Seal
Sedenia Johnson
Notary Public State of Illinois
My Commission Expires 01/06/2019

[signature]

Notary Public

Initials AB Date 12/19/16

EXHIBIT B

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form. #	**AGENCY** ☒ IDHR ☒ EEOC	**CHARGE NUMBER**

Illinois Department of Human Rights and EEOC

NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.)	TELEPHONE NUMBER (include area code)
Ms. Alexshandra Brakenridge	(708) 717-6840

STREET ADDRESS	CITY, STATE AND ZIP CODE	DATE OF BIRTH
3338 Bernice Rd., Lansing, Illinois 60438		/ / M D YEAR

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)

NAME OF RESPONDENT	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include area code)
ABT Holdings, LLC	15+	(818) 302-0100

STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY
Agent: 401 S LaSalle St., #606, Chicago, IL 60605		Cook

CAUSE OF DISCRIMINATION BASED ON:	DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)
Racial Harassment/Race Discrimination/Retaliation	☐ CONTINUING ACTION

THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:

Dept. of Human Rights
INTAKE UNIT
JAN 11 2017
RECEIVED
By:

SEE ATTACHED

Page 1 of

I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 11 DAY OF January, 17.

NOTARY SIGNATURE

Official Seal
Sedenia Johnson
Notary Public State of Illinois
My Commission Expires 01/06/2019

NOTARY STAMP

X
SIGNATURE OF COMPLAINANT DATE 1/11/17

I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief

EEO-5 FORM (Rev. 11/09-INT)

I. A. ISSUE/ BASIS

Racial Harassment, on or around October 31, 2016.

B. PRIMA FACIE ALLEGATIONS

1. That my race is African American.
2. That I was hired by ABT Holdings, LLC ("Respondent") on approximately September 8, 2016 as the Scoobeez, Inc. Human Resources Manager in its Chicago office.
3. That my job performance met Respondent's legitimate expectations.
4. That Jowita Chomentowska ("Chomentowska"), Global Leadership, had supervisory authority over me throughout my employment with Respondent.
5. That Trisha Gamble ("Gamble"), California Human Resources Manager, had supervisory authority over me throughout my employment with Respondent.
6. That upon being hired by Respondent, I was told to report all complaints of harassment to Chomentowska or Gamble.
7. That upon being hired by Respondent, I was informed by Chomentowska, Gamble, and Suzy Ohanessian ("Ohanessian") that all employees in the Chicago office, including schedulers and administrative assistants, were to report to me.
8. That on approximately October 31, 2016, I directed Elizabeth Marr ("Marr"), Logistics Scheduler, to interview a potential candidate for a scheduler position.
9. That Marr lied about having a task to complete and informed me that she did not have the time to interview the potential candidate.
10. That I was aware the alleged task had already been completed and again requested that Marr interview the potential candidate.
11. That I then escorted the potential candidate to Marr's desk and informed him that Marr would be conducting the interview.
12. That after I returned to my office, I received a call from Chomentowska telling me to allow Marr to find her own scheduler.
13. That I reminded Chomentowska that it was my responsibility to hire staff for the office but I was again told to allow Marr control over hiring for the scheduler position.
14. That a few minutes later the potential candidate approached me and informed me that Marr refused to interview him.
15. That I then approached Marr to try to resolve the issue and asked Marr if there was a problem.

Initials AB Date 1/11/17

16. That Marr proceeded to ignore me but as I was leaving, Marr said, "Fuck you. You black nigger bitch."

17. That upon hearing the racial comment, I asked Marr, "What did you just say?"

18. That Marr did not respond and I proceeded to walked away.

19. That after this incident, I contacted Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

20. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

21. That on several occasion I heard Marr state "if these people can't do their jobs, these people should be working here" when referring to the drivers.

22. That the drivers for Respondent are predominantly African Americans.

23. That a week later, on approximately November 8, 2016, I was terminated in a meeting with Chomentowska, Ohanessian, and Gamble.

24. That I found the racial harassment offense.

25. That the racially offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

26. That the racial harassment directly resulted in the termination of my employment.

II. A. ISSUE/BASIS

Race Discrimination-Termination

B. PRIMA FACIE ALLEGATIONS

1. That my race is African American.

2. I was hired by ABT Holdings, LLC on approximately September 8, 2016 as a Scoobeez, Inc. Human Resources Manager.

3. That my job performance met Respondent's legitimate expectations.

4. That on approximately October 31, 2016, I was subjected to unlawful and unwelcome racial harassment by Respondent employee, Elizabeth Marr.

5. That on approximately October 31, 2016, Marr said to me ""Fuck you. You black nigger bitch."

6. That after this incident, I contacted Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

Initials AB Date 1/11/17

7. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

8. The other similarly situated white employees were not subjected to crude and offensive racial harassment.

9. That I was subjected to unequal terms and conditions due to my race.

10. That other similarly situated white employees were not terminated.

III. A. ISSUE/BASIS

Retaliation- Termination for Opposing Unlawful Discrimination

B. PRIMA FACIE ALLEGATIONS

1. I was hired by ABT Holdings, LLC on approximately September 8, 2016 as a Scoobeez, Inc. Human Resources Manager.

2. That I was hired to add structure and discipline to the Respondent's Chicago office.

3. That I was informed when I was hired that the Chicago office was lacking professionalism and that I was also being hired to handle employee termination and to draft an employee handbook.

4. That my job performance met Respondent's legitimate expectations.

5. That upon being hired by Respondent, I was told to report all complaints of harassment to Chomentowska or Trisha Gamble ("Gamble"), California Human Resources Manager.

6. That on approximately October 31, 2016, I was subjected to unlawful and unwelcome racial harassment by Respondent employee, Elizabeth Marr.

7. That on approximately October 31, 2016, Marr said to me "Fuck you. You black nigger bitch."

8. That I verbally complained about this racially offensive comment to Trisha Gamble, as I was instructed to do upon being hired, and spoke to her at length about the racial comment Marr made.

9. That Gamble stated she would look into the incident but to my knowledge no investigation occurred and Gamble did not contact me regarding the incident.

10. That my complaint constituted my opposition to unlawful racial harassment.

11. That a week after my verbal complaint was made, on approximately November 8, 2016, I was terminated in a meeting with Chomentowska, Ohanessian, and Gamble.

Initials AB Date 1/11/17

12. That I was being terminated for allegedly creating a "hostile work environment" based on complaints from the staff and for being "too strong" for the company.
13. That I understood the "too strong" comment to be a racial comment stereotyping black people.
14. That I inferred the alleged staff complaints to be in reference to an incident on approximately October 25, 2016 where a former Respondent employee that had just been terminated, physically attacked me in the workplace.
15. That during this incident the police were called but no arrests were made.
16. That after the incident, I called Chomentowska and informed her of what happened.
17. That Chomentowska asked if I was ok and stated "I wish I could have seen that fight."
18. That I drafted my own incident report of the event that occurred but to my knowledge, nothing else was said or done about the incident.
19. That this retaliatory act of termination and my opposition to the racial harassment occurred within a short period of time, thereby raising an inference of retaliatory motive.

01/11/17

[signature] ~~1/27/17~~

Complainant's Signature — Date

Subscribed and sworn to before me this

11 day of 1 201~~6~~7

[signature]

Notary Public

Official Seal
Sedenia Johnson
Notary Public State of Illinois
My Commission Expires 01/06/2019

Initials AB Date 1/11/17

EXHIBIT C

STATE OF ILLINOIS)
) **ss**
COUNTY OF COOK) **CHARGE NO. 2017CF1417**

AFFIDAVIT OF SERVICE

Benetta M. Davies, deposes and states that she served a copy of the attached **NOTICE OF DISMISSAL FOR LACK OF SUBSTANTIAL EVIDENCE** on each person named below by depositing the same this 7th day of December, 2017, in the U.S. Mail Box at 100 West Randolph Street, Chicago, Illinois, properly posted for FIRST CLASS MAIL, addresses as follows:

Adrian Jonak
Asonye & Associates
100 N. LaSalle St.
Suite 2115
Chicago, IL 60602

John Litchfield
Foley & Lardner, LLP
321 N. Clark St.
Suite 2800
Chicago, IL 60654

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

Benetta M. Davies

PLEASE NOTE:

The above-signed person is responsible only for mailing these documents. If you wish a review of the findings in this case, you must complete the Request for Review form attached. Illinois Department of Human Rights staff are not permitted to discuss the investigation findings once a Notice of Dismissal has been issued.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF:

ALEXSHANDRA BRAKENRIDGE,	)	
COMPLAINANT,	)	CHARGE NO. 2017CF1417
	)	EEOC NO. 21BA70544
AND	)	
SCOOBEEZ, INC.,	)	
RESPONDENT.	)	

NOTICE OF DISMISSAL FOR LACK OF SUBSTANTIAL EVIDENCE

Adrian Jonak
Asonye & Associates
100 N. LaSalle St.
Suite 2115
Chicago, IL 60602

John Litchfield
Foley & Lardner, LLP
321 N. Clark St.
Suite 2800
Chicago, IL 60654

DATE OF DISMISSAL: **December 7, 2017**

1. YOU ARE HEREBY NOTIFIED that based upon the enclosed investigation report, the Department has determined that there is NOT substantial evidence to support the allegation(s) of the charge. Accordingly, pursuant to Section 7A-102(D) of the Act (775 ILCS 5/1-101 et seq.) and the Department's Rules and Regulations (56 Ill. Adm. Code. Chapter II, §2520.560) the charge is HEREBY DISMISSED.

2. If Complainant disagrees with this action, Complainant may:

   a) Seek review of this dismissal before the Illinois Human Rights Commission (Commission), 100 West Randolph Street, Suite 5-100, Chicago, Illinois, 60601, by filing a "Request for Review" with the Commission by the request for review filing date below. Respondent will be notified by the Commission if a Request for Review is filed.

   REQUEST FOR REVIEW FILING DEADLINE DATE: March 12, 2018

   Or, Complainant may:

   b) Commence a civil action in the appropriate state circuit court within ninety (90) days after receipt of this Notice. A complaint should be filed in the circuit court in the county where the civil rights violation was allegedly committed.

If you intend to exhaust your State remedies, please notify the Equal Employment Opportunity Commission (EEOC) immediately. The EEOC generally adopts the Department's findings. The Appellate Courts in Watkins v. Office of the State Public Defender, ___ Ill.App.3d ____, 976 N.E.2d 387 (1st Dist. 2012) and Lynch v. Department of Transportation, ___ Ill.App.3d ___, 979 N.E.2d 113 (4th Dist. 2012), have held that discrimination complaints brought under the Illinois Human Rights Act ("IHRA") against the State of Illinois **in the Illinois Circuit Court** are barred by the State Lawsuit Immunity Act. (745 ILCS 5/1 et seq.). Complainants are encouraged to consult with an attorney prior to commencing a civil action in the Circuit Court against the State of Illinois.

PLEASE NOTE: The Department cannot provide any legal advice or assistance. Please contact legal counsel, your city clerk, or your county clerk with any questions.

3. Complainant is hereby notified that the charge(s) will be dismissed with prejudice and with no right to further proceed if a timely request for review is not filed with the Commission, or a timely written complaint is not filed with the appropriate circuit court.

4. If an EEOC charge number is cited above, this charge was also filed with the Equal Employment Opportunity Commission (EEOC). If this charge alleges a violation under Title VII of the Civil Rights Act of 1964, as amended, or the Age Discrimination in Employment Act of 1967, Complainant has the right to request EEOC to perform a Substantial Weight Review of this dismissal. Please note that in order to receive such a review, it must be requested in writing to EEOC within fifteen (15) days of the receipt of this notice, or if a request for review is filed with the Human Rights Commission, within fifteen days of the Human Rights Commission's final order. Any request filed prior to your receipt of a final notice WILL NOT BE HONORED. Send your request for a Substantial Weight Review to EEOC, 500 West Madison Street, Suite 2000, Chicago, Illinois 60661. Otherwise, EEOC will generally adopt the Department of Human Rights' action in this case.

PLEASE NOTE: BUILDING SECURITY PROCEDURES PRESENTLY IN PLACE DO NOT PERMIT ACCESS TO EEOC WITHOUT AN APPOINTMENT. IF AN APPPOINTMENT IS REQUIRED, CALL (312) 869-8000 OR (800) 669-4000.

DEPARTMENT OF HUMAN RIGHTS
Janice Glenn
Acting Director

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF:

ALEXSHANDRA BRAKENRIDGE,	)	
COMPLAINANT,	)	CHARGE NO. 2017CF1417
	)	EEOC NO. 21BA70544
AND	)	
SCOOBEEZ, INC.,	)	
RESPONDENT.	)	

REQUEST FOR REVIEW

Adrian Jonak
Asonye & Associates
100 N. LaSalle St.
Suite 2115
Chicago, IL 60602

John Litchfield
Foley & Lardner, LLP
321 N. Clark St.
Suite 2800
Chicago, IL 60654

TO: Adrian Jonak

DATE: December 7, 2017

REQUEST FOR REVIEW FILING DEADLINE DATE: March 12, 2018

I hereby request that the dismissal of the charge by the Illinois Department of Human Rights (Department) be reviewed by the Illinois Human Rights Commission (Commission).

Complainant's Current Address (please print clearly):

____Apt/Unit #__________

City____________________ State__________Zip_______Phone (____)____________

IN THE SPACE PROVIDED BELOW, YOU MUST LIST AND DESCRIBE THE SPECIFIC REASONS THAT THE CHARGE SHOULD NOT HAVE BEEN DISMISSED. If applicable, you may write on the back of this form or attach additional information or documents, which support your Request for Review. You may review your investigation file to help you prepare your request by calling (312) 814-6262 or (217) 785-5100. The Department's investigation file may be reviewed or copied upon request once the Department's investigation has been completed. The Department is not responsible for copy service fees. A minimum of three (3) business days' notice is required. Call (312) 814-6262 to make arrangements.

SIGNATURE | DATE

YOU MUST ENCLOSE THE ORIGINAL AND THREE COPIES, INCLUDING SUPPORTING DOCUMENTS, OF YOUR ENTIRE REQUEST AND YOU MUST SIGN, DATE AND HAVE THIS FORM POSTMARKED OR HAND DELIVERED BY THE FILING DEADLINE DATE ABOVE, TO:

Illinois Human Rights Commission, 100 West Randolph Street, Suite 5-100, Chicago, IL 60601; Telephone: (312) 814-6269; TDD: (312) 814-4760.

Please note that pursuant to Section 5300.410 of the Commission's Procedural Rules (56 Ill. Admin. Code §5300.410), except by permission of the Commission, the request, argument and supporting materials shall not exceed 30 pages.

Further, note that pursuant to 56 Ill. Admin. Code § 5300.40(b) of the Commission's Procedural Rules, all arguments in support of the Request for Review must be written on 8 ½" x 11" paper. Any argument submitted on non-conforming paper, such as a "post-it" note, will not be considered part of the Request for Review and will be disregarded by the Commission.

THIS FORM MAY NOT BE SENT VIA TELEFAX.
HB1509/HB59 HRC R/R 1/17

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
INVESTIGATION REPORT

Complainant: Alexshandra Brakenridge **IDHR No.:** 2017CF1417
Respondent: Scoobeez, Inc. **EEOC No.:** 21BA70544

Investigator: LLE **Supervisor:** MQL/ MQL **Date:** 11-29-17

Issue/Basis:

A. Harassment/Race, Black
B. Discharge/Race, Black
C. Discharge/Retaliation

Finding:

A. Lack of Substantial Evidence
B. Lack of Substantial Evidence
C. Lack of Substantial Evidence

Jurisdiction:

Alleged violation:	A: October 31, 2016 B-C: November 8, 2016
Charge filed:	December 19, 2016
Charge perfected:	December 19, 2016
Amendments:	N/A
Number of employees:	531

Verified Response:

Due: March 17, 2017
Received: March 13, 2017
Timely: X Untimely: ___

Group Exhibit A

Employment Data:

Respondent's 2016 Employer Information Report (**Exhibit B**) indicates that 531 individuals were employed at the relevant location in Chicago. The report indicates that 229 (43%) of the employees were within Complainant's named category of race, black. Complainant was the only employee with her job title at the location. Respondent indicated that it does not track the protected activities (whether an employee has complained of or opposed alleged discrimination) of its employees.

Uncontested Facts:

1. Respondent is a family-owned company that supplies on-demand real-time delivery services utilized by online retail companies. Respondent has offices in California, Texas, Florida, and Illinois which employ staff who manage and coordinate the delivery drivers.

2. Complainant began her employment with Respondent on September 8, 2016, to manage the location in Chicago, Illinois.

Staff Note:

Complainant stated that she was hired as the Human Resources Manager; however, Respondent indicated that it hired Complainant as an Office Manager.

3. Complainant reported to Jowita Chomentowska (non-black), Global Leadership Manager, and Tricia Gamble (black), Human Resources Manager, who both work out of Respondent's Los Angeles, California location.

4. Complainant was discharged on November 8, 2016.

Complainant's Allegations-Count A:

Complainant alleges that on October 31, 2016, she was subjected to harassment based on her race, black. Complainant maintains that Respondent was aware of her race. Complainant maintains that the harassment consisted of an incident that took place on October 31, 2016, in which Elizabeth Marr ("Marr") (non-black), Scheduler, said "Fuck you. You black nigger bitch," as well as Marr having used the term "those people" to refer to black employees on several occasions. Complainant alleges that she informed Gamble of the racial comments by Marr but nothing was done about the harassment. Complainant stated that the harassment created a hostile, intimidating, and uncomfortable work environment which interfered with her ability to perform her job duties.

Respondent's Defenses-Count A:

Respondent denies that it subjected Complainant to harassment or otherwise subjected her to any adverse action due to her race. Respondent admits that Complainant's race is black. Respondent denies Complainant's characterizations of events that she indicates constituted harassment. Respondent denies that Complainant was subjected to a hostile, intimidating, and uncomfortable work environment which interfered with her ability to perform her job duties.

Investigation Summary-Count A:

A. **Complainant's Evidence.**

1. Complainant stated that she was hired to hire and train staff, ensure operations between the Chicago and California offices went smoothly, and make sure the office was adequately supplied and running smoothly.

2. Complainant stated that there were three employees in the Chicago office: Marr, Miriam Flores (non-black), Administrative Assistant, and Nick LNU (non-black), Administrator. Complainant stated that there had been problems in the office between Marr and Flores before she was hired, and it was one of the reasons that she was hired according to Gamble. Complainant stated that there was confusion about her role because she was told by Gamble that she was to oversee the three-office staff but the staff did not think that she was their boss.

3. Complainant stated that on October 31, 2016, a man came to the office to be considered for a job as a scheduler. Complainant stated that she had met him elsewhere and told him to come in to the office. Complainant stated that she asked Marr if she could interview the man, but Marr said that she was too busy. Complainant stated that she told Marr that she could take time to interview the man as her other duties were okay right then. Complainant stated that she left the man with Marr, but he came to her upset and told her that Marr threw him out of her office. Complainant stated that she went to Marr who had an attitude and said that she did not have time to interview the man. Complainant stated that she told Marr that she did have time, and she sent the candidate back in.

4. Complainant stated that Chomentowska called her and said that Marr was going to do the hiring. Complainant stated that she asked Chomentowska what had changed since she was hired to do human resources which means she is to hire employees.

5. Complainant stated that she knew Marr did not want to interview the man because she had a friend that she wanted to hire. Complainant stated that she let Marr hire a friend previously. Complainant stated that she asked Marr why she was not interviewing the man and told her that she was not hiring another one of her friends again. Complainant stated that Marr mumbled "Fuck you. You black nigger bitch". Complainant stated that she asked Marr what she said, and Marr did not respond. Complainant stated that she told Marr that "At the end of the day this is my office".

6. Complainant stated that she called Gamble and told her what happened and that she did not understand what was going on with hiring as she should have input. Complainant stated that she asked Gamble what had changed because it seemed like her staff was not being told that she was their boss. Complainant stated that she told Gamble that Marr had called her out of her name and called her a black nigger bitch. Complainant stated that Gamble said that she would talk to Chomentowska to find out what was going on. Complainant stated that when she hung up with Gamble she thought she was looking into Marr's racial comment and the hiring situation. Complainant stated that she never heard back about any of this.

7. Complainant stated that Marr had referred to black employees as "these people" on several occasions. Complainant stated that Marr would say "These people shouldn't be working here if they can't do their job," referring to drivers who were predominantly black. Complainant stated that she told Marr several times to stop using "these people" as a phrase as it is offensive. Complainant stated that at some point she told Gamble about these comments made by Marr, and Gamble told her that it was Complainant's office and she needed to "get it together." Complainant did not indicate the date or approximate date on which she told Gamble of the offensive comments.

8. "Confidential Witness A" or "CWA" is an employee or former employee of Respondent named during the investigation who declined to be identified by name. stated that Complainant told them that Marr called her a "black nigger bitch." CWA stated that Complainant and Gamble were close, and it is likely that Complainant

told Gamble of anything that Marr had said. CWA stated that Marr did say "these people are animals" referring to the drivers, who were mostly black and Hispanic.

B. **Respondent's Evidence.**

1. Respondent's Equal Employment Opportunity policy (**Exhibit C**) indicates that equal employment opportunity is "a fundamental principle of the company and employment is based on personal capabilities and qualification without discrimination because of race." Respondent's Harassment/Sexual harassment policy also prohibits unlawful harassment based on an individual's race and encourages employees to report acts of harassment.

2. Gamble stated that Complainant never reported any kind of harassment. Gamble stated that she and Complainant had discussions about disagreements at the office with Marr but Complainant never said that Marr made racial comments. Gamble stated that Complainant never said that Marr called her a "black nigger bitch" nor did Complainant report any comments to the effect of "those people."

3. Gamble stated that on October 31, 2016, Complainant called her, but the call was more about staffing than about Marr. Gamble stated that Complainant was upset because she felt that she did not have permission to handle staffing. Gamble stated that Complainant did say that she and Marr had an issue but did not say that Marr made any racial comment, for if she had, she (Gamble) would have immediately addressed it. Gamble stated that after the call with Complainant on October 31, 2016, there was nothing that she felt needed to be investigated, and she told Complainant to meet with Marr about working as a team. Gamble stated that had there been anything from Complainant about any racial comments she certainly would not have merely advised Complainant to meet with Marr about working as a team.

4. Marr stated that on October 31, 2016, she was very busy working on an audit of attendance along with responding to phone calls and emails. Marr stated that she had until five o'clock to finish the audit. Marr stated that Complainant walked in with a man and said "Here you go. This guy is here for an interview". Marr stated that she told the man that she was sorry, but she did not have time, and she would call him. Marr stated that Complainant came back in and sat down by her and said "This is my office. I can do what I want. I can hire who I want". Marr stated that she did not say anything and Complainant went out. Marr stated that she did not say "Fuck you. You black nigger bitch" or anything remotely to that effect. Marr stated that she never used the words "those people" to refer to any category of people.

5. Marr stated that she never harassed Complainant.

C. **Complainant's Rebuttal.**

1. Complainant stated that she may not have said that she was harassed, but she did tell Gamble what Marr said.

Analysis:

The Department's investigation did not reveal that Respondent subjected Complainant to race-based harassment. The investigation did not reveal that Respondent subjected Complainant to a race-based, hostile work environment. Complainant maintains that the race-based harassment consisted of a singular incident, the alleged October 31, 2016, incident, in which Marr allegedly called Complainant the incendiary and racist term, "nigger," and that on other unspecified occasions Marr used the words "those people" to describe black employees. Respondent's Harassment/Sexual harassment policy prohibits unlawful harassment based on an individual's race and encourages employees to report acts of harassment. Complainant's allegations of harassment do not rise to a level to support an allegation of actionable harassment, as the alleged incidents were isolated and only one incident was alleged to specify Complainant's race through a racial slur. There is no evidence that even if the "those people" comments were made that they were intended to single out black individuals as opposed to drivers generally, many of whom were non-black.

Findings and Conclusion-Count A:

A finding of **Lack of Substantial Evidence** is recommended because:

The evidence shows that Complainant's allegations of race-based harassment were insufficient to establish actionable harassment. The investigation did not reveal that Complainant was subjected to a pattern of harassment or hostile work environment because of her race. There is no evidence that Respondent's officials subjected Complainant to race-based harassment or were aware that Complainant was being subjected to race-based harassment. There is no substantial evidence that Respondent harassed Complainant based on her race.

Complainant's Allegations-Counts B and C:

Complainant alleges that on November 8, 2016, she was discharged because of her race, black (**Count B**) and in retaliation for reporting racial harassment (**Count C**). Complainant maintains that Respondent was aware of her race and protected activity of reporting race discrimination. Complainant maintains that her job performance was satisfactory. Complainant maintains that on November 8, 2016, she was discharged. Complainant maintains that non-black individuals and those not known to have participated in a protected activity were treated more favorably under similar circumstances. Complainant maintains that the discharge followed her participation in a protected activity within such a period of time as to raise an inference of retaliatory motivation.

Respondent's Defenses-Counts B and C:

Respondent's articulated legitimate non-discriminatory reason for Complainant's discharge is that she created a hostile work environment. Respondent admits that Complainant's race is black and denies that she engaged in a protected activity during her employment. Respondent denies that Complainant was discharged because of her race or in retaliation for a protected activity of reporting racial harassment. Respondent denies that Complainant reported racial harassment. Respondent denies that Complainant's job performance was satisfactory. Respondent admits that Complainant was discharged on November 8, 2016. Respondent denies that non-black employees and those not known to have participated in a protected activity were treated better under similar circumstances. Respondent denies any causal nexus between the discharge and any alleged protected activity in which Complainant engaged.

Investigation Summary-Counts B and C:

A. **Complainant's Evidence.**

1. Complainant stated that on November 8, 2016, Chomentowska and Suzi Ohanessian ("Ohanessian") (non-black/no protected activity), CEO, were in Chicago and requested that she sign some arbitration paperwork. Complainant stated that after she signed the paperwork, she was called into a meeting with Chomentowska, Ohanessian, and Gamble, who was on the phone.

2. Complainant stated that in the meeting she was told that she was creating a hostile office, and she was being discharged. Complainant stated that she was told that staff were saying that she created a hostile work environment, and they did not want to work with her.

3. Complainant stated that she inferred that her discharge was due to an altercation on or about October 25, 2016, when she had to defend herself against an angry employee who was attacking her. Complainant stated that in the meeting she started that she was defending herself and she explained that the employee had attacked her, and she had to hold her against the wall until someone separated them. Complainant stated that she explained that she told office staff to call the authorities because the employee was attacking her.

4. Complainant stated that Chomentowska, Ohanessian, and Gamble said that she was discharged. Complainant stated that it seemed strange that she was discharged two weeks after the altercation especially because when she reported the incident to Chomentowska she said "I wish I could have seen that fight". (**Exhibit D**) is a Notice to Employee as to Change in Relationship Separation Report dated November 8, 2016, indicating that Complainant was discharged for violence and creating a hostile work environment.

5. Complainant stated that Marr called her a black nigger bitch, and she was not discharged. Complainant stated that Marr is white and was treated better.

6. Complainant stated that after she reported Marr's comment to Gamble on October 31, 2016, she texted Gamble asking what she was going to do about Marr. Complainant stated that she thinks the discharge was retaliation for reporting Marr's comment. Complainant did not provide the referenced text message to the Department during the investigation.

7. Confidential Witness A ("CWA") stated that they do not think the discharge was due to the altercation with the employee since it was so long between the incident and the discharge. The individual stated that management had joked about the altercation until a video of it was sent to headquarters. The witness stated that they feel Respondent used the altercation between Complainant and the angry employee

as a way to get rid of her because that employee was a huge problem and Complainant did not do anything wrong. The witness stated that they heard the altercation and the angry employee was aggressive.

8. CWA stated that Chomentowska, Ohanessian, and Gamble listened to Marr and the people Marr hired in who were her friends. The witness stated that they were against Complainant who really was trying to do a good job. The individual stated that it was a hostile work environment at Respondent but not because of Complainant.

9. CWA stated that most of the employees at Respondent who were discharged were black or Hispanic but there were very few white employees.

10. CWA stated that Nick (non-black/no protected activity), Administrator, took over Complainant's human resources responsibilities.

B. **Respondent's Evidence.**

1. Gamble stated that Respondent has a "zero -tolerance for violence" in the workplace. (**Exhibit E**) is Respondent's Abuse/Violence policy which indicates that violent acts and incidents are expressly prohibited and employees are to help prevent violence, and any violent act by an employee will result in immediate discipline and/or discharge.

2. Gamble stated that the decision to discharge Complainant was made by her, Chomentowska, and Ohanessian. Gamble stated that Complainant was not discharged because of her race or in retaliation for reporting racial harassment. Gamble stated that discharge decisions are made regardless of race. Gamble stated that Complainant never reported racial harassment or said that Marr called her a "black nigger bitch," as Complainant alleges. Gamble stated that Complainant was discharged because of Respondent's zero-tolerance for violence policy. (**Exhibit F**) is Respondent's copy of Complainant's discharge document dated November 8, 2016.

3. Gamble stated that she investigated the altercation that took place on October 25, 2016. Gamble stated that Complainant called her after the incident and said that she was in a fight and "I tried to tear her fucking brains out. Her braids were on the floor". Gamble stated that a driver had come into the office to talk to Complainant after Complainant had been rude on the phone to the driver. Gamble stated that Complainant instigated this incident on the phone when she called the driver and told her to come in because she was being terminated. Gamble stated that when the employee asked why, Complainant responded "It doesn't matter why. Get your ass in here". Gamble stated that a fight broke out when the driver came in. Gamble stated that a video shows them engaged in a physical altercation. Gamble stated that Complainant said things about being from the south side and knowing gang members that will "fuck you up".

4. Gamble stated that Complainant was supposed to prevent workplace violence, but she initiated it. Gamble stated that she is black and Complainant's discharge had nothing to do with her race being black. Gamble stated that she does not recall any texts about racial harassment or discrimination of any kind.

5. Gamble stated that Complainant was not replaced, and her duties were covered by the existing employees.

6. Gamble stated that Complainant had performance issues, but the discharge was due to her behavior with the driver. Gamble stated that Complainant had attendance issues such as tardiness and not being in the office. Gamble stated that one time she could not reach Complainant, and later Complainant told her that she was at a hair appointment. Gamble stated that employees complained about Complainant indicating that she had told them that she was the "head bitch" and could terminate them at any time. Gamble stated that on October 1, 2016, Complainant threatened staff in an email (**Exhibit F**) with discipline if they reported complaints to executive management:

> "Hello team if there is a problem in the office let me know about it. Do not bother Jowita or Suzy, they are busy setting up the Texas office. Going over my head with an issue that I am not aware of or that we had already solve [sic] is called insubordination. I will write up staff for [no further text or text is cut off]."

7. Gamble stated that staff in Complainant's office complained that she was often gone and would say that she was looking for parking lots for drivers, but this was not part of Complainant's job. Gamble stated that there had been conversations with Complainant about her performance, and she would say that she would change but never did. (**Exhibit G**) is an email from Marr to Chomentowska dated October 30, 2016, in which she complains about various aspects of Complainant's management, including Complainant's involvement in the altercation, during which she proclaimed, "I'm from the south side, bitch!" intimidating staff who heard the remark and Complainant spending little time in the office.

8. Chomentowska stated that Complainant had performance problems, but the discharge was due to the violence during the altercation in which the police had to be called and there was hair on the floor and blood on the wall. Chomentowska stated that Complainant's position with the company required her to respond to all situations in a professional manner. Chomentowska stated that Complainant's discharge had nothing to do with her race, and she never complained about discrimination; thus, the discharge was not retaliation since there was no knowledge of any alleged discrimination complaint.

9. Ohanessian stated that Complainant's discharge was a result of Respondent's zero-tolerance policy for violence in the workplace. Ohanessian stated that this was a situation of an automatic discharge for violence which had nothing to do with race or retaliation.

10. Ohanessian stated that Respondent has discharged others, and always without regard to race or any other protected characteristic. Ohanessian stated that she does not recall a discharge similar to that of Complainant – a violence related discharge. Ohanessian stated that Paul Vaccaro (non-black/no protected activity) and Isamar Fiscal (non-black/no protected activity) were discharged by Chomentowska for performance issues, though neither held the same job title as Complainant. **(Exhibit H)** is an Employee Separation Report for Vaccaro dated August 10, 2016. **(Exhibit I)** is a Notice to Employee as to Change in Relationship Separation Report for Fiscal dated September 20, 2016.

C. **Complainant's Rebuttal.**

1. Complainant stated that other employees told her that Marr had been complaining about her all the time in emails. Complainant stated that she had also said that people were not getting raises which made them not like her. Complainant stated that her discharge was not because of the altercation with the driver, but it was about what was happening in the office which was the reason that she was hired.

2. Complainant stated that she did not say the things alleged. Complainant stated that she never yelled that she was from the south side as she is not from the south side. Complainant stated that she did not say anything about a gang as she has nothing to do with any gang. Complainant stated that this is made up.

Analysis:

The investigation did not reveal that Complainant was discharged because of her race or in retaliation for participating in a protected activity. The investigation did not reveal that any similarly situated non-black employee, or employee who engaged in a protected activity was treated more favorably under similar circumstances. The investigation did not reveal a causal nexus between the discharge and Complainant's stated protected activity or activities. Respondent's Abuse/Violence policy indicates that violent acts and incidents are expressly prohibited and employees are to help prevent violence, and any violent act by an employee will result in immediate discipline and/or discharge. Respondent's articulated legitimate non-discriminatory reason for Complainant's discharge is that she created a hostile work environment in part on account of her engagement in the violent altercation. The evidence shows that Respondent decided that Complainant violated its zero-tolerance for violence policy and discharged her. Complainant was unable to identify a similarly situated non-black employee, or employee who was known to have engaged in a protected activity, who was treated more favorably under similar circumstances. There is no evidence that Respondent had a race-based animus when it discharged Complainant. Further, there is no evidence that Complainant reported racial harassment as alleged in her charge. Even if Complainant reported the comment made by Marr, there is no evidence to show that her discharge was retaliation for participating in a protected activity. Timing alone does not support a reasonable inference of retaliation and the evidence is such that Respondent had an array of legitimate concerns regarding Complainant's overall job performance and conduct.

Findings and Conclusion-Counts B and C:

A finding of **Lack of substantial evidence** is recommended because:

The evidence shows that Respondent discharged Complainant on the heels of an incident in which Complainant participated in workplace violence, thereby acting in a manner deemed by Respondent to be unbecoming of her position, as well as other performance or conduct related concerns that were at hand. Respondent's action was consistent with its established policies or practices. Respondent's workforce continued to consist of significant numbers of employees within Complainant's named protected category of race, black. Respondent has discharged non-black personnel and personnel not known or alleged to have engaged in a protected activity. While Complainant's alleged protected activity (denied by Respondent) occurred within a short period preceding the discharge there is no evident nexus between the discharge decision and the alleged protected activity; an employee who engages in a protected activity is not immune from the same standards of conduct and work performance as any other employee. There is no evidence of a race-based or retaliatory-based animus. There is no substantial evidence that Respondent discharged Complainant because of her race or in retaliation for her stated protected activity.

Witness List:

A.	Complainant C/o Adrian Jonak, Attorney Asonye & Associates, 100 N. LaSalle St., Suite 2115 Chicago, IL 60602	FFC
B.	Tricia Gamble (black/no PA), Human Resources Manager C/o John Litchfield, Attorney Foley & Lardner, LLP 321 N Clark St., Suite 2800 Chicago, IL 60654	FFC via telephone
C.	Liz Marr (non-black/no PA), Scheduler C/o John Litchfield, Attorney Foley & Lardner, LLP 321 N Clark St., Suite 2800 Chicago, IL 60654	FFC
D.	Jowita Chomentowska (non-black/no PA), Global Leadership Manager C/o John Litchfield, Attorney Foley & Lardner, LLP 321 N Clark St., Suite 2800 Chicago, IL 60654	Phone interview October 5, 2017

E. Suzy Ohanessian (non-black/no PA) — Phone interview, October 5, 2017
President of Operations
C/o John Litchfield, Attorney
Foley & Lardner, LLP
321 N Clark St., Suite 2800
Chicago, IL 60654

F. Confidential Witness A

Staff Note:

Staff spoke to this witness via telephone on November 14, 2017. The witness requested to remain confidential.

Exhibits:

A. Good Cause Determination and Verified Response

B. 2016 EEO Report

C. Respondent's policies: Equal Employment Opportunity, Non-Discrimination, Harassment/Sexual Harassment

D. Notice to Employee as to Change in Relationship & Separation Report dated November 8, 2016

E. Respondent's Abuse/Violence policy

F. Email from Complainant to staff dated October 1, 2016

G. Marr's email dated October 30, 2016

H. Separation Report for Vaccaro dated August 10, 2016

I. Separation Report for Fiscal dated September 20, 2016

EXHIBIT D

STATE OF ILLINOIS)
) ss
COUNTY OF COOK) FILE NO (S) 2017CF1586

AFFIDAVIT OF SERVICE

Janice L. Woods-Wills, deposes and states that she served a copy of the attached **NOTICE OF DISMISSAL FOR LACK OF JURISDICTION** on each person named below by depositing same this 12th day of December, 2017, in the U.S. Mail Box at 100 West Randolph Street, Chicago, Illinois, properly posted for FIRST CLASS MAIL, addresses as follows:

Uche O. Asonye
Asonye & Associates
100 N. LaSalle-Suite 2115
Chicago, Illinois 60602

Scott Sheikh, Attorney
Sheikh Law Firm, APC
10940 Wilshire Blvd.-Suite 1600
Los Angeles, CA 90024

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

Janice L. Woods-Wills
Janice L. Woods-Wills

PLEASE NOTE:

The above-signed person is responsible only for mailing these documents. If you wish a review of the finding in this case, you must complete the Request for Review form attached. Department staff are not permitted to discuss the investigation findings once a Notice of Dismissal has been issued.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS

IN THE MATTER OF: ALEXSHANDRA BRAKENRIDGE COMPLAINANT, AND ABT HOLDINGS LLC, RESPONDENT.	)))))))))))	CHARGE NO. 2017CF1586 EEOC NO. 21BA70686

NOTICE OF DISMISSAL
FOR LACK OF JURISDICTION

Uche O. Asonye
Asonye & Associates
100 N. LaSalle-Suite 2115
Chicago, Illinois 60602

Scott Sheikh, Attorney
Sheikh Law Firm, APC
10940 Wilshire Blvd.-Suite 1600
Los Angeles, CA 90024

DATE OF DISMISSAL: December 12, 2017

1. YOU ARE HEREBY NOTIFIED that based upon the enclosed investigation report, the DEPARTMENT OF HUMAN RIGHTS (DHR) has determined that there is NOT jurisdiction to pursue the allegations of the charge. Accordingly, pursuant to Section 7A-102(D) of the Human Rights Act, Illinois Compiled Statutes, (775 ILCS 5/3-101 et. seq.) and the Rules and Regulations of the DHR (56 Ill. Adm. Code. Chapter II, Section 2520.560), the charge is HEREBY DISMISSED.

2. If Complainant disagrees with this action, Complainant may:

a) seek review of this dismissal before the Illinois Human Rights Commission, 100 West Randolph Street, Suite 5-100, Chicago, Illinois, 60601, by filing a "Request for Review" with the Commission by the request for review filing date below. Respondent will be notified by the Human Rights Commission if a Request for Review is filed.

REQUEST FOR REVIEW FILING DEADLINE DATE: **March 19, 2018**

Or,

b) commence a civil action in the appropriate state circuit court within ninety (90) days after receipt of this Notice. A complaint should be filed in the circuit court in the county where the civil rights violation was allegedly committed. **If you intend to exhaust your State remedies, please notify the Equal Employment Opportunity Commission (EEOC) immediately. The EEOC generally adopts the Department's findings.** The Appellate Courts in Watkins v. Office of the State Public Defender, ___ Ill.App.3d ____, 976 N.E.2d 387 (1st Dist. 2012) and Lynch V. Department of Transportation, ___ Ill.App.3d ___, 979 N.E.2d 113 (4th Dist. 2012), have held that discrimination complaints brought under the Illinois Human Rights Act ("IHRA") against the State of Illinois **in the Illinois Circuit Court** are barred by the State Lawsuit Immunity Act. (745 ILCS 5/1 et seq.). Complainants are encouraged to consult with an attorney prior to commencing a civil action in the Circuit Court against the State of Illinois.

Please note that the Department cannot provide any legal advice or assistance. Please contact legal counsel, your city clerk, or your county clerk with any questions.

3. If an EEOC charge number is cited above, this charge was also filed with the Equal Employment Opportunity Commission (EEOC). If this charge alleges a violation under Title VII of the Civil Rights Act of 1964, as amended, or the Age Discrimination in Employment Act of 1967, Complainant has the right to request EEOC to perform a Substantial Weight Review of this dismissal. Please note that in order to receive such a review, it must be requested in writing to EEOC within fifteen (15) days of the receipt of this notice, or if a request for review is filed with the Human Rights Commission, within fifteen days of the Human Rights Commission's final order. Any request filed prior to your receipt of a final notice WILL NOT BE HONORED. Send your request for a Substantial Weight Review to EEOC, 500 West Madison Street, Suite 2000, Chicago, Illinois 60661. Otherwise, EEOC will generally adopt the Department of Human Rights' action in this case.

PLEASE NOTE: BUILDING SECURITY PROCEDURES PRESENTLY IN PLACE DO NOT PERMIT ACCESS TO EEOC WITHOUT AN APPOINTMENT. IF AN APPPOINTMENT IS REQUIRED, CALL 312-869-8000 OR 1-800-669-4000.

DEPARTMENT OF HUMAN RIGHTS

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:

ALEXSHANDRA BRAKENRIDGE,	)	
COMPLAINANT,	)	CHARGE NO. 2017CF1586 EEOC NO. 21BA70686
AND ABT HOLDINGS LLC,	)	
RESPONDENT.	)	

REQUEST FOR REVIEW

Uche O. Asonye
Asonye & Associates
100 N. LaSalle-Suite 2115
Chicago, Illinois 60602

Scott Sheikh, Attorney
Sheikh Law Firm, APC
10940 Wilshire Blvd.-Suite 1600
Los Angeles, CA 90024

TO: Uche O. Asonye

DATE: December 12, 2017

REQUEST FOR REVIEW FILING DEADLINE DATE: **March 19, 2018**

I hereby request that the Department of Human Rights' (DHR) dismissal of the charge be reviewed by the Illinois Human Rights Commission.

Complainant's Current Address (please print clearly):

____Apt/Unit________

City________________State__________Zip_______Phone (____) ____________.

TO REQUEST INVESTIGATION FILE:

The Department's investigation file may be reviewed or copied upon request once the Department's investigation is completed. The Department is not responsible for copy service fees. **A minimum of 3 business days' notice is required.** Call (312) 814-6262 to make arrangements.

REQUEST FOR REVIEW INSTRUCTIONS:

IN THE SPACE PROVIDED BELOW, YOU MUST LIST AND DESCRIBE THE SPECIFIC REASONS THAT THE CHARGE SHOULD NOT HAVE BEEN DISMISSED. If applicable, you may write on the back of this form or attach additional information or documents, which support your Request for Review. You may review your investigation file, to help you prepare your request by calling 312-814-6262 or 217-785-5100.

SIGNATURE DATE

YOU MUST ENCLOSE THE ORIGINAL AND THREE COPIES, INCLUDING SUPPORTING DOCUMENTS, OF YOUR ENTIRE REQUEST AND SIGN, DATE AND HAVE THIS FORM POSTMARKED OR HAND DELIVERED BY THE FILING DEADLINE DATE ABOVE, TO:

Illinois Human Rights Commission, 100 West Randolph Street, Suite 5-100, Chicago, IL 60601.

Please note that pursuant to Section 5300.410 of the Commission's Procedural Rules, except by permission of the Commission, the request, argument and supporting materials shall not exceed 30 pages.

Further, note that pursuant to *56 Ill. Admin. Code § 5300.40(b)* of the Commission's Procedural Rules, all arguments in support of the Request for Review must be written on 8 ½ x 11 paper. Any argument submitted on non-conforming paper (such as a "post-it" note) will not be considered part of the Request for Review, and will be disregarded by the Commission.

THIS FORM MAY NOT BE SENT VIA TELEFAX.

HB1509/HB59 HRC R/R 01/14

STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION

IN THE MATTER OF:

ALEXSHANDRA BRAKENRIDGE,	)	
COMPLAINANT,	)	CHARGE NO. 2017CF1586
	)	EEOC NO. 21BA70686
AND	)	
ABT HOLDINGS LLC,	)	
RESPONDENT.	)	

REQUEST FOR REVIEW

Uche O. Asonye
Asonye & Associates
100 N. LaSalle-Suite 2115
Chicago, Illinois 60602

Scott Sheikh, Attorney
Sheikh Law Firm, APC
10940 Wilshire Blvd.-Suite 1600
Los Angeles, CA 90024

TO: Uche O. Asonye

DATE: December 12, 2017

REQUEST FOR REVIEW FILING DEADLINE DATE: **March 19, 2018**

I hereby request that the Department of Human Rights' (DHR) dismissal of the charge be reviewed by the Illinois Human Rights Commission.

Complainant's Current Address (please print clearly):

____Apt/Unit________

City______________State__________Zip_______Phone (____) ___________.

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REQUEST FOR REVIEW INSTRUCTIONS:
IN THE SPACE PROVIDED BELOW, YOU MUST LIST AND DESCRIBE THE SPECIFIC REASONS THAT THE CHARGE SHOULD NOT HAVE BEEN DISMISSED. If applicable, you may write on the back of this form or attach additional information or documents, which support your Request for Review. You may review your investigation file, to help you prepare your request by calling 312-814-6262 or 217-785-5100.

SIGNATURE DATE

YOU MUST ENCLOSE THE ORIGINAL AND THREE COPIES, INCLUDING SUPPORTING DOCUMENTS, OF YOUR ENTIRE REQUEST AND SIGN, DATE AND HAVE THIS FORM POSTMARKED OR HAND DELIVERED BY THE FILING DEADLINE DATE ABOVE, TO:

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THIS FORM MAY NOT BE SENT VIA TELEFAX.
HB1509/HB59 HRC R/R 01/14

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
INVESTIGATION REPORT

Complainant:	Alexshandra Brakenridge	**IDHR No.:**	2017CF1586
Respondent:	ABT Holdings, LLC	**EEOC No.:**	21BA70686

Investigator: AP1 **Supervisor:** **Date:**

Issue/Basis:	**Finding:**
A. Harassment/race, black	A. Lack of jurisdiction
B. Unequal terms and conditions of employment/race, black	B. Lack of jurisdiction
C. Discharge/race, black	C. Lack of jurisdiction
D. Discharge/retaliation	D. Lack of jurisdiction

Jurisdiction:

Alleged violation:	A-B. October 31, 2016 C-D. November 8, 2016
Charge filed:	January 11, 2017
Charge perfected:	January 11, 2017
Amendments:	N/A
Number of employees:	15+

Verified Response:

Due: August 21, 2017
Received: N/A
Timely: ___ Untimely: ___ **Group Exhibit A**
If untimely, good cause shown: Yes ___ No ___

Findings – Counts A-D:

Complainant filed the instant charge on January 11, 2017, alleging that on October 31, 2016, Respondent subjected her to harassment and unequal terms and conditions of employment based on her race, black, and that on November 8, 2016, Respondent discharged her based on her race black, and in retaliation for opposing unlawful discrimination.

Respondent contends that Complainant was not an employee of Respondent's, and that Complainant worked for Respondent's subsidiary Scoobeez, Inc. **Group Exhibit B** is Complainant's paystubs dated from September 1, 2016, through November 15, 2016, which indicate that Complainant was at all times paid by Scoobeez, Inc.

Complainant indicated that she was employed by Scoobeez, Inc., that her supervisors were employed by Scoobeez, Inc., and that she at no time informed that she worked for or was otherwise an employee of Respondent as named. **Exhibit C** is Complainant's Form W-2 Wage and Tax Statement 2016, which shows Complainant's employer as Avitus Inc. Complainant stated that Avitus Inc. is a third party administrator hired by Scoobeez, Inc. to process payroll.

Respondent's September 30, 2016, Securities Disclosure form **Exhibit D** indicates that addresses of Respondent's Principal Executive Offices includes Scoobeez Headquarters located in Pasadena, California; with a profile of Scoobeez **Exhibit E** describing the company as a door to door messenger service utilizing scooters, motorcycles and cars for delivery; and indicates that Respondent is involved in guiding the development and increasing efficiency in Scoobeez' continuing expansion across the country.

Section 2-101(A)(1)(a) of the Illinois Human Rights Act defines an employee as an individual who performs services for remuneration within the State for an employer. The evidence shows that Complainant was an employee of Scoobeez, Inc. and not of Respondent; therefore, a finding of lack of jurisdiction is recommended for the Department.

A finding of lack of jurisdiction is also recommended for the Equal Employment Opportunity Commission for the same reasons.

Additionally, Complainant, through her attorney, filed an identical charge of discrimination (IDHR Charge Number 2017CF1417) **Exhibit F** with the Department on December 19, 2016, citing Respondent as "Scoobeez, Inc." with the allegations contained within being investigated against what evidence demonstrates to be Complainant's appropriately identified employer.

STATE OF ILLINOIS
DEPARTMENT OF HUMAN RIGHTS
INVESTIGATION REPORT

Complainant: Alexshandra Brakenridge
Respondent: ABT Holdings, LLC

IDHR No.: 2017CF1586
EEOC No.: 21BA70686

Investigator: AP1 **Supervisor:** **Date:**

Issue/Basis:	Finding:
A. Harassment/race, black	A. Lack of jurisdiction
B. Unequal terms and conditions of employment/race, black	B. Lack of jurisdiction
C. Discharge/race, black	C. Lack of jurisdiction
D. Discharge/retaliation	D. Lack of jurisdiction

Jurisdiction:

Alleged violation:	A-B. October 31, 2016 C-D. November 8, 2016
Charge filed:	January 11, 2017
Charge perfected:	January 11, 2017
Amendments:	N/A
Number of employees:	15+

Verified Response:

Due: August 21, 2017
Received: N/A
Timely: ____ Untimely: ____
If untimely, good cause shown: Yes ____ No ____

Group Exhibit A

Findings – Counts A-D:

Complainant filed the instant charge on January 11, 2017, alleging that on October 31, 2016, Respondent subjected her to harassment and unequal terms and conditions of employment based on her race, black, and that on November 8, 2016, Respondent discharged her based on her race black, and in retaliation for opposing unlawful discrimination.

Respondent contends that Complainant was not an employee of Respondent's, and that Complainant worked for Respondent's subsidiary Scoobeez, Inc. **Group Exhibit B** is Complainant's paystubs dated from September 1, 2016, through November 15, 2016, which indicate that Complainant was at all times paid by Scoobeez, Inc.

Complainant indicated that she was employed by Scoobeez, Inc., that her supervisors were employed by Scoobeez, Inc., and that she at no time informed that she worked for or was otherwise an employee of Respondent as named. **Exhibit C** is Complainant's Form W-2 Wage and Tax Statement 2016, which shows Complainant's employer as Avitus Inc. Complainant stated that Avitus Inc. is a third party administrator hired by Scoobeez, Inc. to process payroll.

Respondent's September 30, 2016, Securities Disclosure form **Exhibit D** indicates that addresses of Respondent's Principal Executive Offices includes Scoobeez Headquarters located in Pasadena, California; with a profile of Scoobeez **Exhibit E** describing the company as a door to door messenger service utilizing scooters, motorcycles and cars for delivery; and indicates that Respondent is involved in guiding the development and increasing efficiency in Scoobeez' continuing expansion across the country.

Section 2-101(A)(1)(a) of the Illinois Human Rights Act defines an employee as an individual who performs services for remuneration within the State for an employer. The evidence shows that Complainant was an employee of Scoobeez, Inc. and not of Respondent; therefore, a finding of lack of jurisdiction is recommended for the Department.

A finding of lack of jurisdiction is also recommended for the Equal Employment Opportunity Commission for the same reasons.

Additionally, Complainant, through her attorney, filed an identical charge of discrimination (IDHR Charge Number 2017CF1417) **Exhibit F** with the Department on December 19, 2016, citing Respondent as "Scoobeez, Inc." with the allegations contained within being investigated against what evidence demonstrates to be Complainant's appropriately identified employer.